

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

HELEN BRIGGS, LINDA HEILIG,)	
JAMES WILSON, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. <u>13-CV-1157-M</u>
)	
Freeport-McMoRan, Inc. f/k/a)	
FREEPORT-MCMORAN COPPER & GOLD)	
INC.,)	
)	
FREEPORT MINERAL CORPORATION)	
f/k/a FREEPORT-MCMORAN)	
CORPORATION f/k/a PHELPS DODGE)	
CORPORATION,)	
)	
CYPRUS AMAX MINERALS COMPANY,)	
)	
BLACKWELL ZINC COMPANY, INC.,)	
)	
Defendants.)	

PLAINTIFFS' WITNESS LIST FOR CLASS CERTIFICATION HEARING

COMES NOW Plaintiffs and hereby submits their witness list for the class certification hearing. Plaintiffs reserve the right to add or amend their witness list due to ongoing discovery.

NO.	NAME AND ADDRESS	PROPOSED TESTIMONY
1.	Dr. J. Berton Fisher c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Expert testimony on class boundary, origin of pervasive heavy metal contamination in the City of Blackwell, OK, and all topics in his expert report, and rebuttal report.
2.	Dr. Richard DeGrandchamp c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Expert testimony on health-protective levels of heavy metals for soils in the City of Blackwell, OK and all other topics in his expert report, rebuttal report, and affidavit.
3.	Dr. Mark Berkman c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Expert testimony on ability to calculate classwide damages and all other topics in his expert report and rebuttal report.
4.	Helen Briggs	Testimony on facts and circumstances

NO.	NAME AND ADDRESS	PROPOSED TESTIMONY
	c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	alleged in docket filings.
5.	Linda Heilig c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings.
6.	James Wilson c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings.
7.	Paul Muegge c/o Schick & Copeland, LLP 3700 Buffalo Speedway, Ste. 960 Houston, TX 77098	Testimony regarding his employment by Defendants, including, but not limited to, the scope of his duties, representations made to the community, and Defendants' public relations campaign regarding the Supplemental Soils Program.
8.	John Fenn c/o Schick & Copeland, LLP 3700 Buffalo Speedway, Ste. 960 Houston, TX 77098	Testimony on all topics discussed in his deposition.
9.	Kent Alme c/o Schick & Copeland, LLP 3700 Buffalo Speedway, Ste. 960 Houston, TX 77098	Testimony on all topics discussed in his deposition.
10.	Stuart Brown c/o Schick & Copeland, LLP 3700 Buffalo Speedway, Ste. 960 Houston, TX 77098	Testimony on all topics discussed in his deposition.
11.	Catherine Castaneda c/o Schick & Copeland, LLP 3700 Buffalo Speedway, Ste. 960 Houston, TX 77098	Testimony regarding her involvement in the Supplemental Soils Program, including, but not limited to, her scope of employment with Shaw, recordkeeping for the Supplemental Soils Program, procedures used in the Supplemental Soils Program, and her interaction with Blackwell citizens.
12.	Representative of the Board of County Commissioners of the County of Kay c/o County Clerk of Kay County P.O. Box 450 Newkirk, OK 74647	Testimony regarding the extent of contamination in Kay County, Oklahoma and the Board's interaction with Defendants.
13.	Representative of the City of Blackwell, Oklahoma c/o Blackwell City Attorney P.O. Box 350	Testimony regarding facts alleged in docket filings, relationship with Defendants, communications with Defendants, and the scope of contamination in the City.

NO.	NAME AND ADDRESS	PROPOSED TESTIMONY
	Blackwell, OK 74631	
14.	Representative of the Oklahoma Department of Environmental Quality c/o ODEQ General Counsel P.O. Box 1677 Oklahoma City, OK 73101-1677	Testimony regarding facts alleged in Complaint and other docket filings, including, but not limited to, arrival at current cleanup levels, health protectiveness of current cleanup levels, and the ODEQ's relationship and interactions with Defendants.
15.	Edd Rhoades c/o Oklahoma State Department of Health General Counsel 1000 NE 10th Oklahoma City, OK 73117	Testimony regarding the Oklahoma State Department of Health's blood lead reference value, the City of Blackwell's High Risk Target Area designation, OSDH's communication with ODEQ regarding cleanup in Blackwell, OSDH's position regarding necessary cleanup levels in Blackwell.
16.	Bo Pannell c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings and all other topics covered in his deposition.
17.	Pershawnia Scrimsher-Atchley c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings and all other topics covered in her deposition.
18.	Rhonda Loveall c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings and all other topics covered in her deposition.
19.	Karen Sue Roberts c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings and all other topics covered in her deposition.
20.	Keith Snow c/o Indian and Environmental Law Group 1723 E. 15th St., Ste. 100 Tulsa, OK 74114	Testimony on facts and circumstances alleged in docket filings and all other topics covered in his deposition.
21.	Any witness listed by Defendants to whom Plaintiffs do not object	
22.	Any witness necessary for rebuttal purposes	

Respectfully submitted,

/s/Krystina E. Phillips
Jason Aamodt, OBA No. 16974
Krystina E. Phillips, OBA No. 30111
Dallas L.D. Strimple, OBA No. 30266
Environmental Law Center
1723 East 15th Street, Suite 100
Tulsa, Oklahoma 74104
Telephone: (918) 347-6169
Facsimile: (918) 398-0514

and

Trae Gray, OBA No. 21196
Ryan Ellis, OBA No. 30858
LandownerFirm, PLLC
Rt. 5, Box 305
Coalgate, Oklahoma 74538
Telephone: (580) 428-3005
Facsimile: (888) 789-4729

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Reid E. Robison
reid.robison@mcafeetaft.com

Timothy J. Bomhoff
tim.bomhoff@mcafeetaft.com

Sandra G. Rodriguez
srodriguez@velaw.com

Morgan L. Copeland
mcopeland@schickcopeland.com

Lewis C. Sutherland
lsutherland@velaw.com

Tracey R. Rice
trice@schickcopeland.com

Kevin A. Gaynor
kgaynor@velaw.com

Robert M. Schick
rschick@schickcopeland.com

/s/Krystina E. Phillips
Krystina E. Phillips